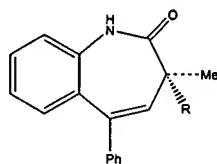


REMARKS

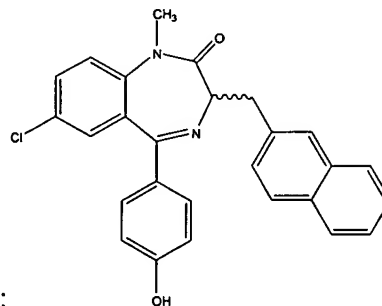
In the Office Action mailed May 31, 2006, the Examiner described allowable subject matter within the claim set, rejected Claims 1, and 7-20 under 35 U.S.C. §112(1), and rejected Claims 1 and 6-20 for double-patenting. The allowable subject matter and rejections are addressed below.

I. Allowable Subject Matter

The Examiner stated, "Claim 6 includes allowable subject matter...Snyder et al (US2002/0128208) teaches N-arylbenzamides containing composition used as non-peptide agonists and antagonists of vasopressin receptors. Th N-arylbenzamides taught in the patent has



general structure as following: . The claimed compound has materially different subunit on R4 position which is nor taught or suggested by Snyder's patent and furthermore, the subgeneric compounds taught in the patent is considered to be patentably distinct from the species claimed in instant claims due to the different physical and chemical properties, which is



exemplified with elected species having the structure as following:

The claims are considered to be novel over the prior art of record, and thus, the drug-eluting stent media composition which comprising said novel composition as mentioned is also considered to be novel over the prior art of record." Office Action, pages 8-9.

Per suggestion of the Examiner, the Applicant now amends Claim 1 to incorporate the aspects of Claim 6, and cancels Claims 7-11. The Applicant reserves the right to prosecute original Claims 1 and 7-11, or similar claims, at a future time. The Applicant requests Claim 1 be passed into allowance.

II. Rejection of Claims 1 and 7-20 under 35 U.S.C. §112(1)

The pending 35 U.S.C. §112 rejections are moot in view of the amendments described above.

III. Rejection of Claims 1-7, 9 and 54-59 under Double Patenting


Claims 1 and 6-20 are rejected under nonstatutory obviousness-type double patenting. In particular, the Examiner stated, "Claims 1, and 6-20 are provisionally rejected on the grounds of nonstatutory obviousness-type double patenting as being unpatentable over claims of copending Application No. 10/427212." Office Action, page 7.

The Applicant respectfully disagrees. However, in order to expedite prosecution while not acquiescing with the Examiner's arguments, the Applicant now submits a Terminal Disclaimer to overcome this rejection.

CONCLUSION

All grounds of rejection of the Office Action of May 31, 2006, have been addressed and reconsideration of the application is respectfully requested. It is respectfully submitted that Applicant's claims should be passed into allowance. Should the Examiner believe that a telephone interview would aid in the prosecution of this application Applicant encourages the Examiner to call the undersigned collect at (608) 218-6900.

Dated: 8-28-06


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